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General Assembly
Security Council

Distr.
GENERAL

A/49/525
S/1994/1169
15 October 1994

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Forty-ninth session
Agenda item 34
THE SITUATION OF DEMOCRACY AND
HUMAN RIGHTS IN HAITI

SECURITY COUNCIL
Forty-ninth year

Identical letters dated 15 October 1994 from the Secretary-General addressed to the President of the General Assembly and to the President of the Security Council

I have the honour to transmit the attached letter which was addressed to me on 15 October 1994 by the Permanent Representative of the United States of America to the United Nations. This letter confirms the report I have received from Port-au-Prince that President Aristide has returned to Haiti.

I should be grateful if you would bring this information to the attention of the members of the General Assembly and of the Security Council.

(Signed) Boutros BOUTROS-GHALI

Annex

Letter dated 15 October 1994 from the Permanent Representative of the United States of America to the United Nations addressed to the Secretary-General

I have the honour to inform you of the return of President Jean-Bertrand Aristide to Haiti. I have been advised by the Secretary of State of the United States of America, Mr. Warren Christopher, that President Aristide arrived at Port-au-Prince international airport at 1213 hours EST on 15 October 1994.

I would be grateful if you would circulate this letter as a document of the General Assembly, under agenda item 34, and of the Security Council.

(Signed) Madeleine K. ALBRIGHT

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Security Council

Distr.
GENERAL

S/1994/1170
15 October 1994
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 13 OCTOBER 1994 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you that, during the period from 1 to 10 October 1994, United States aircraft continued to violate Iraqi national airspace for the purpose of surveillance, provocation and the dropping of heat flares.

1 October 1994

(a) Northern region: 6 sorties, flown at speeds of 600-900 km/h and at medium altitude, centred on Zakho, Dohuk and Amadiyah.

(b) Southern region: 37 sorties, flown at speeds of 600-900 km/h and at medium altitude, centred on Nasiriyah, Samawah, Salman, Qurnah, Qal'at Salih, Jalibah, Artawi and Busayyah.

2 October 1994

Southern region: 36 sorties, flown at speeds of 600-900 km/h and at medium altitude, centred on Nasiriyah, Samawah, Jalibah, Salman, Busayyah, Artawi, Khidr and Shinafiyah.

- At 1121 hours on 2 October 1994, a United States TR-1 reconnaissance plane violated Iraqi airspace, flying at a speed of 600 km/h and at an altitude of 20,000 m over Samawah, the area to the south of Najaf, the area to the south of Diwaniyah, Amarah, Basra, Umm Qasr and Artawi. It left at 1400 hours, proceeding in the direction of Saudi Arabian airspace.

3 October 1994

(a) Northern region: 13 sorties, flown at speeds of 600-900 km/h and at medium altitude, centred on Mosul, Irbil, Dohuk, Tall Afar, Zakho and Amadiyah.

(b) Southern region: 34 sorties, flown at speeds of 600-900 km/h and at medium altitude, centred on Samawah, Jalibah, Busayyah and Artawi.

- At 2015 hours on 3 October 1994, a United States plane dropped a heat flare on the Ibrat area to the north of the Satar subdistrict in Dhi Qar Governorate.

4 September 1994

(a) Northern region: 13 sorties, flown at speeds of 600-900 km/h and at medium altitude, centred on Mosul, Irbil, Dohuk, Tall Afar, Amadiyah, Zakho and Ayn Zalah.

(b) Southern region: 36 sorties, flown at speeds of 600-900 km/h and at medium altitude, centred on Nasiriyah, Samawah, Qurnah, Amarah, Jalibah, Chabaish and Artawi.

5 October 1994

Southern region: 34 sorties, flown at speeds of 600-900 km/h and at medium altitude, centred on Nasiriyah, Samawah, Busayyah, Jalibah, Ushbayjah, Artawi, Shatrah and Salman.

6 October 1994

(a) Northern region: 15 sorties, flown at speeds of 600-900 km/h and at medium altitude, centred on Mosul, Irbil, Dohuk, Zakho, Tall Afar and Amadiyah.

(b) Southern region: 24 sorties, flown at speeds of 600-900 km/h and at medium altitude, centred on Nasiriyah, Samawah, Jalibah, Salman, Busayyah, Artawi and Chabaish.

- At 1210 hours on 6 October 1994, a United States TR-1 reconnaissance plane violated Iraqi airspace, flying at a speed of 600 km/h and at an altitude of 20,000 m over Nasiriyah, Samawah, Qurnah, the area to the south of Diwaniyah, the area to the south of Najaf, Amarah, Shinafiyah, Safwan and Artawi. It left at 1445 hours, proceeding in the direction of Saudi Arabia.

7 October 1994

(a) Northern region: 17 sorties, flown at speeds of 600-900 km/h and at medium altitude, centred on Mosul, Dohuk, Zakho, Tall Afar and Amadiyah.

(b) Southern region: 30 sorties, flown at speeds of 600-900 km/h and at medium altitude, centred on Mosul, Dohuk, Zakho, Tall Afar and Amadiyah.

- At 1128 hours on 7 October 1994, a United States TR-1 reconnaissance plane violated Iraqi airspace, flying at a speed of 600 km/h and at an altitude of 20,000 m over Artawi. It left at 1400 hours, proceeding in the direction of Saudi Arabia.

8 October 1994

Southern region: 80 sorties, flown at speeds of 600-900 km/h and at medium altitude, centred on Basra, Artawi, Qurnah, Chabaish, Qal'at Salih, Nasiriyah, Samawah, Salman, Jalibah and Busayyah.

- At 2158 hours on 8 October 1994, a hostile two-aircraft formation broke the sound barrier over Basra.

9 October 1994

(a) Northern region: 27 sorties, flown at speeds of 600-900 km/h and at medium altitude, centred on Mosul, Dohuk, Irbil, Tall Afar, Zakho, Aqrah, Shaqlawah, Rawandoz and Amadiyah.

(b) Southern region: 54 sorties, flown at speeds of 600-900 km/h and at medium altitude, centred on Nasiriyah, Samawah, Basra, Qurnah, Jalibah, Busayyah, Qal'at Salih, Safwan and Artawi.

- At 1115 hours on 9 October 1994, a United States TR-1 reconnaissance plane violated Iraqi airspace, flying at a speed of 600 km/h and at an altitude of 21,000 m over Artawi, Samawah, the area to the south of Diwaniyah, the area to the south of Najaf, Nasiriyah, Amarah, Qurnah, Basra and Umm Qasr. It left at 1355 hours, proceeding in the direction of Saudi Arabia.

10 October 1994

Southern region: 58 sorties, flown at speeds of 600-900 km/h and at medium altitude, centred on Nasiriyah, Samawah, Basra, Jalibah, Artawi, Amarah and Qal'at Salih.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

UNITED
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Security Council

Distr.
GENERAL

S/1994/1171
15 October 1994

ORIGINAL: ENGLISH

LETTER DATED 14 OCTOBER 1994 FROM THE CHARGE D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I am writing to you concerning the letter of the Permanent Representative of the Republic of Croatia to the United Nations of 14 September 1994 (A/49/383-S/1994/1052) and, upon instructions of my Government, I have the honour to state the following.

The armed conflict on the Prevlaka Peninsula started in September 1991 with the attack of the Croatian paramilitary forces on the garrison of the then Yugoslavia National Army (JNA) located on the peninsula and in the territory of the Republic of Montenegro.

The Army of Yugoslavia withdrew its contingents from the Prevlaka Peninsula in order to enable the realization of the Vance plan. This step was in accordance with the Declaration signed by the Presidents of the Federal Republic of Yugoslavia and the Republic of Croatia on 30 September 1992 and Security Council resolution 779 (1992) of 7 October 1992. The said Declaration provides for the question of Prevlaka to be resolved through its demilitarization and the deployment of the United Nations observers. The issue of security of the Bay of Boka Kotorska and the Dubrovnik region was to be addressed in future negotiations. By Security Council resolution 779 (1992), the United Nations Protection Force (UNPROFOR) was authorized to control the agreement on the withdrawal of the heavy weapons from the border area between Croatia and Montenegro.

In the negotiations between the Federal Republic of Yugoslavia, the Republic of Croatia and the United Nations it was agreed that the Army of Yugoslavia would withdraw from Prevlaka until 20 October 1992. The Yugoslav side fulfilled its obligation even before the set deadline as was confirmed by the Secretary-General in his letter to the Security Council.

A comprehensive cease-fire in the border area between the Federal Republic of Yugoslavia and the Republic of Croatia was also covered by the agreement. The Yugoslav side has fully complied with this agreement whereas the Croatian army and the units of its Ministry of the Interior have caused 70 incidents in the demilitarized zone and 166 incidents in the zone controlled by the Army of

Yugoslavia. Those incidents have been fully documented by the United Nations and European Union observers.

The Federal Republic of Yugoslavia and UNPROFOR totally agree on the interpretation and implementation of all agreements. However, as can be seen from the above, Croatia continues to violate the agreements, causing tensions and provoking incidents. In addition, Croatia does not recognize that the Prevlaka Peninsula enjoys the status of the United Nations protected so-called "blue zone" and treats it as its own territory. For example, the Croatian Ministry of the Interior blocked the roads from the territory of the Federal Republic of Yugoslavia to the "blue zone". The Croatian citizens and police have an unimpeded access to it and to the facilities of the Army of Yugoslavia in defiance of the United Nations observers' presence in the area. Furthermore, Croatia has built more than 60 military objects for offensive purposes in the demilitarized zone.

On the other hand, the United Nations observers are given full access and freedom of movement in the so-called "yellow zone", controlled by the Federal Republic of Yugoslavia. They have had no complaints concerning the fulfilment of Yugoslavia's commitments arising from this agreement.

The Federal Republic of Yugoslavia considers that the problem of the Prevlaka Peninsula, as a highly sensitive strategic issue, should be resolved through political negotiations in the context of other problems in the territory of the former Yugoslavia. In Yugoslavia's view, the recent visit of the Co-Chairmen of the International Conference on the former Yugoslavia to the Prevlaka Peninsula should contribute to that goal. The Federal Republic of Yugoslavia again stresses that it has no territorial claims towards any neighbour country, including the Republic of Croatia. However, in view of the delicate nature of the territory of Prevlaka and its strategic relevance, the Federal Republic of Yugoslavia is interested in having this problem resolved by peaceful means in full compliance with the international norms.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(Signed) Dragomir DJOKIC
Ambassador
Chargé d'affaires a.i.

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Security Council

Distr.
GENERAL

S/1994/1172
15 October 1994

ORIGINAL: ENGLISH

LETTER DATED 14 OCTOBER 1994 FROM THE CHARGE D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Upon instructions of my Government, I am writing to you to express our profound concern in the wake of flagrant violations by Croatia of the Security Council resolution 713 (1991) by which the arms embargo against the territory of the former Socialist Federal Republic of Yugoslavia was introduced.

According to data available to the Federal Republic of Yugoslavia, Croatia has never ceased to import substantial quantities of arms despite the above resolutions. In addition, through its own territory, namely Zagreb airport and the port of Split in particular, Croatia has facilitated the transport of arms for the Muslims in the former Bosnia and Herzegovina.

I avail myself of this opportunity to advance some of the concrete examples of the violation of the Security Council resolutions by the Government of Croatia in the past few months:

(a) At the end of May 1994, through the port of Split, a shipment of 200 tons of arms and ammunition was delivered to the Muslim army in Visoko and Maoc;

(b) On 20 May 1994, 60 tons of ammunition was shipped to Zagreb and from there transported by air via Split to the Muslim forces in Tuzla;

(c) At the beginning of June 1994, large quantities of arms, ammunition and raw materials for military industry of the Muslim side in Bosnia and Herzegovina were shipped to the Zenica and Tuzla region via Split and western Herzegovina;

(d) In June 1994, via the Ploce port, a large number of artillery pieces of various calibres and 350 tons of ammunition for artillery and infantry weapons were delivered to the Muslims in Bosnia and Herzegovina;

(e) Two ships equipped with surface-to-surface and surface-to-air rocket systems entered the port of Rijeka on 31 August 1994. The equipment was subsequently delivered to the region of Desinac-Stupnik.

It should be generally acknowledged that such activities of Croatia cannot be conducive to the establishment of the lasting peace in the territory of the former Yugoslavia. On the contrary, they threaten to offset the positive developments already achieved and possibly escalate the conflict with unforeseeable consequences.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(Signed) Dragomir DJOKIC
Ambassador
Chargé d'affaires a.i.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1994/1173
15 October 1994

ORIGINAL: ENGLISH

LETTER DATED 14 OCTOBER 1994 FROM THE REPRESENTATIVES OF IRAQ AND THE RUSSIAN FEDERATION TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Upon instructions from our respective Governments, we have the honour to enclose herewith the text of a Joint Communiqué issued by the Iraqi and Russian sides on Thursday, 13 October 1994, after the meeting held between H.E. Mr. Saddam Hussein, President of the Republic of Iraq and H.E. Mr. Andrei Kozyrev, Minister for Foreign Affairs of the Russian Federation.

We should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative of the
Republic of Iraq

(Signed) Vasiliy S. SIDOROV
Chargé d'affaires a.i.
First Deputy Permanent Representative
of the Russian Federation

Annex

[Original: Arabic and Russian]

JOINT COMMUNIQUÉ ON THE OUTCOME OF THE MEETING IN BAGHDAD

On 13 October 1994, Mr. Saddam Hussein, President of Iraq, received Mr. Andrei Kozyrev, Minister for Foreign Affairs of the Russian Federation, who had come to Iraq on the instructions of the President of the Russian Federation, Mr. Boris Yeltsin.

In the course of the meeting, the situation in the Gulf region and the current state of Russian-Iraqi relations were discussed.

The Russian Federation advocated the adoption of decisive measures to prevent an escalation of the tension and to resume the political and diplomatic efforts that would ultimately bring security and real stability to the region, the lifting of the sanctions against Iraq and the establishment of good-neighbourly relations between Iraq and Kuwait.

A number of specific measures to build confidence among the States of the region, removing mutual suspicion and creating a climate of trust, were discussed.

Iraq announced officially that at 2100 hours on 12 October it had completed the withdrawal of its troops to rearguard positions. The Russian Federation expressed its warm appreciation of this step on the part of Iraq.

Iraq affirmed its readiness to resolve in a positive manner the issue of recognizing Kuwait's sovereignty and borders, as laid down in Security Council resolution 833 (1993).

Following Iraq's official recognition of Kuwait's sovereignty and borders, the Russian Federation will support the official start of the long-term monitoring provided for in Security Council resolution 715 (1991) and the simultaneous initiation of a limited test period, which in the Russian Federation's opinion should not exceed six months, to verify the effectiveness of the monitoring, after which the Security Council will take a decision concerning the implementation of paragraph 22 of Security Council resolution 687 (1991) in its entirety, without imposing further conditions. The Russian Federation affirms that, subject to Iraq's implementation of the relevant Security Council resolutions, it will advocate the lifting of other sanctions.

Iraq confirmed its willingness to continue its cooperation with the International Committee of the Red Cross in investigating the fate of missing Kuwaiti nationals. Mr. Kozyrev indicated the special interest of the Russian Federation in this humanitarian issue.

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Security Council

Distr.
GENERAL

S/1994/1174
16 October 1994

ORIGINAL: ENGLISH

LETTER DATED 14 OCTOBER 1994 FROM THE PERMANENT REPRESENTATIVE OF GHANA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Upon instructions from my Government, I transmit herewith the text of the Akosombo agreement made and entered into on 12 September 1994, between the three warring factions in Liberia, namely the National Patriotic Front of Liberia (NPFL) represented by and through its leader Mr. Charles G. Taylor; the United Liberation Movement of Liberia for Democracy (ULIMO), represented by and through its leader, Lt.-Gen. Alhaji G. V. Kromah; and the Armed Forces of Liberia (AFL), represented by and through its Chief of Staff, Lt.-Gen. J. Hezekiah Bowen, at Akosombo, Ghana.

It would be appreciated if you could circulate this agreement as a document of the Security Council.

(Signed) George O. LAMPTEY
Permanent Representative

Annex

Akosombo agreement

This Agreement, which supplements and amends the Cotonou Agreement, is made and entered into on this 12th day of September 1994 by and between the National Patriotic Front of Liberia (NPFL), represented by and through its leader Charles G. Taylor (hereinafter referred to as "the party of the first part"), the United Liberation Movement of Liberia for Democracy (ULIMO), represented by and through its leader Lt. Gen. Alhaji G. V. Kromah (hereinafter referred to as "the party of the second part"), and the Armed Forces of Liberia represented by and through its Chief of Staff Lt.-Gen. J. Hezekiah Bowen (hereinafter referred to as "the party of the third part"), hereby:

WITNESSETH:

PREAMBLE

NPFL, ULIMO and AFL reaffirm their acceptance of the Cotonou agreement as the framework for peace in Liberia. However, having realized the slow pace in the full implementation of the Cotonou agreement, resulting from the failure of disarmament and the inability of the Liberia National Transitional Government (LNTG) to achieve the objective of its mandate within a six-month period as set forth under section B, article 14 (2), of the said Cotonou agreement: and

Having noted with grave concern the protracted human suffering and the undue hardships to which the people of Liberia (inside and outside the country) have been overly subjected as a result of the senseless Liberian civil crisis: and

Having realized the urgent need to bring this ugly civil crisis to an immediate and lasting end:

Do hereby agree to the following:

Part I

MILITARY ISSUES

Declaration

SECTION A

Article 1

Count 1 is amended to read as follows:

The parties to this agreement hereby agree and declare a cease-fire and the cessation of hostilities effective as of the signing of this amendment.

SECTION B

Article 3

SUPERVISORY AND MONITORING AUTHORITY

Count 1 is amended to read: That the Liberia National Transitional Government, the Economic Community of West African States Military Observer Group (ECOMOG) and the United Nations Observer Mission in Liberia (UNOMIL) in collaboration shall supervise and monitor the implementation of this Agreement.

The parties hereby expressly recognize the neutrality and authority of ECOMOG and UNOMIL in respect of the foregoing.

Accordingly, the Liberia National Transitional Government shall ensure that ECOMOG and UNOMIL shall enjoy complete freedom of movement throughout Liberia.

SECTION C

Article 4

TERMS AND CONDITIONS

Count 4 is amended to read: The Liberia National Transitional Government, in collaboration with ECOMOG and UNOMIL, shall ensure that all points of entry, including sea ports, airfields and roads, shall be monitored and supervised.

Count 5 is amended to read: The warring parties shall undertake to disengage and move to designated assembly points within the time-frame in the schedule to be attached to this document.

Count 6: That the Liberia National Transitional Government shall enter into a status-of-forces agreement with ECOWAS within 30 days from the signing of this Agreement.

Count 7: That the existing status-of-mission agreement already executed with the United Nations (UNOMIL) is herein incorporated by reference and is applicable.

SECTION D

Article 5

ACTS OF VIOLATION

Count 2 is amended to read: The following acts shall constitute violations of the Agreement:

Subsection (b): Any change or improvement of existing positions aimed at acquiring territory.

Subsection (c): Any deliberate discharge (whether with conventional or unconventional weapons) against the position of any warring party by another, or firing at any individual or property or any seizure or abduction of individuals and properties.

Subsection (f): While the right to communication shall not be abridged, any proven use of communication devices, facilities or propaganda designed to incite or having the effect of inciting hostilities between any of the warring parties.

Subsection (h): Obstruction of the implementation of any of the provisions of the Agreement by any party and/or individual.

Subsection (i): Harassments, intimidations, or attacks upon any official of the Liberia National Transitional Government, relief organizations, ECOMOG, UNOMIL, the Cease-fire Violations Committee as well as individuals.

Subsection (j): Obstruction of the activities of the Liberia National Transitional Government, ECOMOG, UNOMIL and the Cease-fire Violations Committee.

Subsection (k): The facilitation or creation of new or splinter armed groups. To this end, any individual or group of individuals suspected of creating or assisting to create any new armed or splinter group or facilitating existing splinter group(s) (directly or indirectly) shall:

1. Not be recognized under the Cotonou Agreement.

2. Shall be disarmed and disbanded by ECOMOG in collaboration with the Liberia National Transitional Government verified by UNOMIL.

3. Thereafter be prosecuted under the laws of Liberia.

SECTION E

Article 6

DISARMAMENT

The introductory paragraph is hereby amended to read: the ultimate objective of disarmament under the Cotonou Agreement being primarily to create a security environment conducive to absolute peace in order to have free and fair elections in the country, NPFL, ULIMO and AFL hereby agree to disarm to ECOMOG with the cooperation of the Liberia National Transitional Government and monitored and verified by UNOMIL in accordance with the schedule to be attached to this Agreement. The parties further mandate the Liberia National Transitional Government to begin the formation of appropriate national security structures to facilitate the disarmament process. Accordingly, appropriate measures shall be undertaken to enable AFL to assume its character as a national army. Until such measures are completed, AFL, like all other parties and warring groups, shall be completely disarmed in accordance with the Cotonou Agreement. In order to ensure a secure environment for the proper functioning of the unified Government in Monrovia, the Liberia National Transitional Government, in collaboration with ECOMOG, shall ensure that no group or individuals bear arms in the perimeter of the capital. However, the personal security of the leaders of the warring parties shall be reflected in the status-of-forces agreement.

Count 4 is amended to read: Each of the warring parties shall ensure that its combatants report all weapons and warlike materials to ECOMOG, which would be inventoried by ECOMOG, monitored and verified by the Liberia National Transitional Government and UNOMIL. Upon proper inventory, such weapons and warlike materials shall be taken by ECOMOG to the designated armouries, monitored and verified by UNOMIL and the Liberia National Transitional Government.

Count 5 is amended to read: All non-combatants who are in possession of weapons and warlike materials shall also report and surrender same to ECOMOG, monitored and verified by the Liberia National Transitional Government and UNOMIL. Such weapons and warlike materials shall be returned to the owners after due registration, licensing and certification by the governing authority after elections.

Count 7 is amended to read: For the sole purpose of maintaining the cease-fire, ECOMOG shall conduct any search to recover lost or hidden weapons, observed and monitored by UNOMIL and the Liberia National Transitional Government.

SECTION F

Article 7

ENCAMPMENT

Count 1 is amended to read: The parties agree and fully commit themselves to the encampment of their combatants, and maintenance of command and control in encampment centres, established by ECOMOG, UNOMIL and the Liberia National Transitional Government in collaboration with the parties. The encampment centres shall, in addition to disarmament and demobilization, serve as transit points for the further education, training and rehabilitation of said combatants.

SECTION G

Article 8

PEACE ENFORCEMENT POWERS

The following amendments are hereby made, to wit:

1. That in the event any party, new armed group or splinter group and/or individuals refuse to desist from acts in violation of the Agreement, the Liberia National Transitional Government, in collaboration with ECCMOG, shall have the power to use the necessary force available to compel compliance.

2. All violations of the cease-fire shall be reported to UNOMIL, which shall, on immediate receipt of the information or violation, commence an investigation and make findings thereof. In the event the violation can be cured by the party, UNOMIL shall pursue such a course. However, should such a course not be possible, UNOMIL shall submit its findings to the Cease-fire Violations Committee. The Violations Committee shall invite the violating party(ies) for the purpose of having such party(ies) take corrective measures to cure violations within such time-frame as may be stipulated by the Committee. Should the violating party not take the required corrective measures, and the use of peace enforcement powers are recommended against the violator, the Liberia National Transitional Government, in collaboration with ECOMOG, shall thereupon take the necessary action.

SECTION H

Article 9

DEMOBILIZATION

Count 2 is amended to read: Further, the parties hereby call upon the Liberia National Transitional Government, the United Nations, the Organization of African Unity, ECOWAS and other international organizations and countries, to design a programme which recognizes the peculiarities of the parties and finance

the process of demobilization, retraining, rehabilitation and reintegration of all former combatants to normal social and community life.

Count 3 is amended to read: It is agreed that the Liberia National Transitional Government, in collaboration with the parties, shall immediately commence a community information or educational programme, explaining to the public by means of communication devices or any form of media, the essence and purpose of cease-fire, encampment, disarmament and demobilization. Such programme shall include other social institutions.

Count 4: Internal security arrangements, including police, customs and immigration, will be put in place immediately. Planning for restructuring and training of AFL will be the responsibility of the Liberia National Transitional Government, with the assistance of ECOWAS, the United Nations and friendly Governments.

SECTION K

Article 12

SCHEDULE OF IMPLEMENTATION

This article is amended to read: The attached schedule of implementation to be attached to this Agreement, including disarmament, encampment and demobilization of combatants, preparation of a status-of-forces agreement, restructuring of AFL and dissolution of the parties drawn up by ECOMOG and UNOMIL in collaboration with the Parties, shall be given to each of the Parties prior to implementation. The Parties undertake that they will create no obstacles to the full implementation of any of the foregoing activities.

Part II

Political issues

SECTION A

Section B, article 14 (7), is hereby amended to read thus:

EXECUTIVE

(i) The Parties further agree that, during the transitional period leading up to inauguration of an elected Government, the executive powers of the Republic shall be vested in a five-member Council of State which is hereby established. Each of the Parties (AFL, NPFL and ULIMO) shall point one member to the Council and the remaining two, representing unarmed Liberians, shall be chosen from among prominent Liberians, one appointed by the Liberian National Conference recently

convened in Monrovia and the other by NPFL and ULIMO. The designation of Chairman and two Vice-Chairmen shall be determined through a process of elections to be carried out within seven days of the signing of this Agreement. The new Council of State will be inducted under the auspices of the Chairman of ECOWAS or his representative within 14 days of the signing of this Agreement.

(ii) The Council of State shall conduct and be responsible for the day-to-day operations of government. All decisions shall be made on the basis of a simple majority.

(iii) The Council shall also devise and implement appropriate rules of procedure in respect of its operations, to be signed by all members on the occasion of their induction into office.

(iv) The Parties hereby agree that the allocation of ministries, public corporations and autonomous agencies as agreed by the Parties in Cotonou, Benin, on 3 to 5 November 1993 shall be maintained, taking into account existing factions in respect of existing vacancies. All boards of public corporations shall be constituted in accordance with the acts creating said corporations.

(v) In the case where the executive post is allocated to one party, the two deputy posts shall be allocated to the two other parties. In the case where there are more than two deputy posts in a given ministry, public corporation or autonomous agency, the Council of State shall point qualified Liberian citizens to occupy the third and/or remaining deputy posts.

(vi) The Council of State shall also exercise its executive prerogative powers to appoint qualified citizens in all other subordinate presidential appointed posts in government as may be provided by law in consultation with the parties.

(vii) Each of the parties shall have the right to review the status of its appointees in the Liberia National Transitional Government through the Council of State and any change in appointment by the Council of State should follow as closely as possible the constitutional procedures. Once appointments have been made to the Council of State changes can be effected only for cause and then consistent with existing laws.

Legislature

SECTION B

Article 14

Count (9) is amended to read:

(i) That the Parties agree that the Transitional Legislative Assembly shall be a unicameral body composed of 48 members. The Transitional

Legislative Assembly is expanded by 13 eminent citizens selected through the Ministry of Internal Affairs from each of the 13 counties, and appointed by the Council of State.

(ii) The Parties further agree that the Transitional Legislative Assembly shall give consideration to providing appropriate benefits for the heads of warring parties.

Article 16 is hereby amended to read:

(2) Is hereby amended to read: That the transitional Government shall have a life-span of approximately 16 months commencing from the date of installation of the five-member Council of State.

(3) Is hereby amended to read: That general and presidential elections shall take place on 10 October 1995, and the newly elected Government shall be installed on the first Monday of 1996.

SECTION H

Article 20

The Parties agree that all provisions of the Cotonou Agreement not amended here are herein incorporated by reference and the same are hereby applicable and remain in full force and effect except for the below listed provisions:

(1) Part I, section A, art. 2

(2) Part I, section B, art. 3, count 3

(3) Section D, article 5 (d)

(4) Part II, section A, article 13

(5) Part 2, section B, articles 14, 4, 6, 7 (i), (ii), (iii), (iv)

DONE AT AKOSOMBO, REPUBLIC OF GHANA,
THIS 12TH DAY OF SEPTEMBER 1994

(Signed) Charles G. TAYLOR
Leader
National Patriotic Front of Liberia (NPFL)

(Signed) Lt.-Gen. Alhaji G. V. KROMAH
National Chairman
United Liberation Movement of Liberia for Democracy (ULIMO)

(Signed) Lt.-Gen. J. Hezekiah BOWEN
Chief of Staff
Armed Forces of Liberia (AFL)

WITNESSED BY

(Signed) For H.E. Flt. Lt. J. J. RAWLINGS
President of the Republic of Ghana and Current Chairman of ECOWAS

(Signed) Trevor GORDON-SOMERS
Special Representative of the United Nations Secretary-General in Liberia

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UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1994/1175
17 October 1994

ORIGINAL: ENGLISH

LETTER DATED 16 OCTOBER 1994 FROM THE PERMANENT REPRESENTATIVE OF BOSNIA AND HERZEGOVINA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

A new mandate for the United Nations Protection Force (UNPROFOR) within the Republic of Bosnia and Herzegovina has been gradually adopted and crept into a position of relative primacy. However, this mandate, rogue mandate, has never been adopted or endorsed by the Security Council. The Government of the Republic of Bosnia and Herzegovina is concerned by the consequences of this unauthorized mandate and requests the Security Council urgently to review the situation.

This rogue mandate demands supremacy by dictating that all UNPROFOR mandates and measures, including those specifically established by the Security Council, should first pass a filter test that would determine the extent of implementation. Mandates and measures that might increase the risk of "Bosnian Serb" reprisals will be either marginalized or ignored. By an extension of this logic, if the UNPROFOR mandate or measure in question potentially could loosen the "Bosnian Serbs'" military advantage or siege of Bosnia, and therefore alter the status quo, then such mandate or measure would be marginalized as well for fear of offending the Bosnian Serbs. This rogue mandate has been particularly harmful and counterproductive in the manner in which it has been applied to the situation around Sarajevo.

On the theory that the Army of the Republic of Bosnia and Herzegovina possesses a superiorly motivated and effective infantry, it was deemed that the "Bosnian Serb" Army was reliant on its overwhelming firepower and the siege of civilian areas in order to retain its overall military advantage. Before the creation of the North Atlantic Treaty Organization (NATO)-implemented "exclusion zone" around Sarajevo in February 1994, UNPROFOR not only avoided measures that might risk reducing the Bosnian Serbs' firepower advantage, but also acquiesced in the ongoing siege of Sarajevo. (This Permanent Representative was told on more than one occasion by UNPROFOR functionaries that Bosnian Serb tightening of the siege of Sarajevo and even shelling of civilian areas of Sarajevo must be understood as a countermeasure to pressure undertaken by the superior Bosnian Army infantry in some other battle area within the Sarajevo area or beyond.)

It appears that UNPROFOR had adopted the Bosnian Serb view that the siege of Sarajevo and status of its civilian population as hostages were legitimate military countermeasures.

Fortunately, the implementation of the "safe zone" resolutions (Security Council resolutions 824 (1993) and 836 (1993)), through the concept of a NATO-enforced exclusion zone, appeared to alter this situation permanently. Unfortunately, there has once again been a slide backwards to the same discredited views that acquiesced in the victimization of Sarajevo and that are the backbone of this new rogue mandate.

Under resolutions 824 (1993) and 836 (1993), all "Bosnian Serb" military units and weaponry are to be removed from the safe-area cities and their vicinities while the Army of the Republic of Bosnia and Herzegovina specifically was allowed to retain its infantry and weaponry. The NATO-enforced "exclusion zone" gave teeth to the military deterrence and responsiveness envisioned by the above resolutions. In addition, as a commitment of its own good faith and as a step that increased the likelihood of Bosnian Serb compliance with the NATO ultimatum, the Army of the Republic of Bosnia and Herzegovina also agreed to remove or neutralize its own heavy weapons within the exclusion zone despite the fact that resolutions 824 (1993) and 836 (1993) explicitly authorized the Bosnian Army to retain its forces and weaponry within the exclusion zone.

Unfortunately, it appears that the "safe areas" mandate and exclusion zone around Sarajevo have been redefined under the rogue mandate as follows.

1. Because the "Bosnian Serbs" could not maintain their siege of Sarajevo without the heavy weapons now excluded by the NATO exclusion zone, because altering the status quo might risk "Bosnian Serb" reprisal on UNPROFOR and because the siege therefore is viewed as a legitimate military countermeasure, UNPROFOR would be deployed in such a fashion to preserve the status quo and prevent the weakening of the Bosnian Serb siege positions. Any alleviation of the siege could come about only as a consequence of bargaining and agreements with the besiegers, otherwise UNPROFOR would risk taking sides and retaliation.

2. Because the infantry of the Army of the Republic of Bosnia and Herzegovina was deemed to be superior, its actions to defend the civilians, sovereignty and territorial integrity of the Republic of Bosnia and Herzegovina within the exclusion zone were also viewed by UNPROFOR as a challenge to the status quo that might in turn prompt a non-compliant "Bosnian Serb" party to challenge UNPROFOR. Giving higher priority to any risk of Bosnian Serb non-compliance and reprisal (including such that could be increased by NATO enforcement action), some within the UNPROFOR command have chosen to characterize any Bosnian military action as detrimental rather than as measures to defend legitimate civilian and sovereign interests. Effectively, the sovereign interests of the Republic of Bosnia and Herzegovina were being subjugated to any potential risks of retaliation by the Bosnian Serbs against UNPROFOR.

3. To justify this morally and legally flawed policy more effectively, it would also be appropriate to delegitimize the status and objectives of the Army of the Republic of Bosnia and Herzegovina. The Army of the Republic of Bosnia and Herzegovina, therefore, must be projected as being more or less on the same moral and legal level of the "Bosnian Serbs". For this reason, while certain UNPROFOR officials are conspicuously silent in their criticism with respect to numerous opportunities offered by the actions of the Bosnian Serbs, they have

been all too eager to find blame, real or fabricated, with respect to the Army of the Republic of Bosnia and Herzegovina. This was last exhibited by the enthusiastic, but premature campaign of some UNPROFOR officials to allege, recklessly and falsely, that the Bosnian Army engaged in the mutilation of Bosnian Serb soldiers and therefore to project the image of indistinguishable tribalism and barbarism.

4. Finally, "Bosnian Serb" use of heavy weapons within the exclusion zone is tolerated as necessary for the "Bosnian Serbs" to retain their military advantage and the status quo. As a consequence, when the Bosnian Serbs initiated an attack within the Sarajevo exclusion zone and relied upon heavy weapons fire from within to areas within the exclusion zone, this action was tolerated by UNPROFOR despite the fact that it was in clear violation of the Sarajevo safe area and NATO ultimatum. Over 1,000 Serbian shells were fired in the exclusion zone in just one day of the Bosnian Serb offensive without any appropriate UNPROFOR response. On the other hand, certain elements of the UNPROFOR command within the Republic of Bosnia and Herzegovina have vocally and quickly criticized purely infantry actions of the Army of the Republic of Bosnia and Herzegovina and, without a United Nations mandate, even threatened NATO air strikes (when such actions of the Bosnian Army are in full compliance with relevant Security Council resolutions).

This rogue mandate has driven us to a crisis point and the edge of disaster. It not only ignores but in effect reverses the status of the victim and victimizer. It neutralizes the intended benefits of United Nations-mandated measures. But even putting aside the moral bankruptcy of this flawed rogue mandate, it must be immediately rescinded because it:

(a) Is not endorsed by and, in fact, runs contrary to existing United Nations resolutions and Security Council-adopted mandates including the "safe area" and exclusion zone designations;

(b) Effectively acquiesces in, rather than challenges, the almost 1,000-day siege of Sarajevo, which once again is tightening as a consequence;

(c) Undermines the efforts and objectives of the Contact Group peace plan by upholding the status quo and giving comfort to those who would hold out against peace in favour of retaining their current, advantageous position;

(d) Is illegal and inconsistent with the sovereignty and territorial integrity of the Republic of Bosnia and Herzegovina, with the Charter of the United Nations and with countless General Assembly and Security Council resolutions reaffirming the above.

Once again, we wish to express our appreciation to the overwhelming majority of the UNPROFOR and humanitarian forces for their well-intentioned and directed efforts within the Republic of Bosnia and Herzegovina. None the less, unless corrective steps are undertaken urgently, the overall United Nations-mandated actions within the Republic of Bosnia and Herzegovina will be subverted and become consumed by the consequences of an unauthorized mandate. Sustaining the unacceptable status quo is not the same as preserving the neutrality of UNPROFOR, in fact, quite the opposite. Those responsible for acting outside and

in contradiction to Security Council resolutions must be brought into line or appropriately addressed. For our part, the Government of the Republic of Bosnia and Herzegovina will continue to maximize cooperation with UNPROFOR and other mandated efforts. Similarly, those who act in contravention to Security Council mandates cannot continue to enjoy the privileges and legal status associated with service in furtherance of United Nations mandates.

May I ask for your kind assistance in circulating this letter as a document of the Security Council.

(Signed) Muhamed SACIRBEY
Permanent Representative

UNITED
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Security Council

Distr.
GENERAL

S/1994/1176
18 October 1994

ORIGINAL: ENGLISH

NOTE BY THE PRESIDENT OF THE SECURITY COUNCIL

At its 3440th meeting, held on 18 October 1994, the Security Council considered its draft report to the General Assembly covering the period from 16 June 1993 to 15 June 1994. The Security Council adopted the draft report without a vote.

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Security Council

Distr.
GENERAL

S/1994/1177
18 October 1994

ORIGINAL: ENGLISH

NOTE VERBALE DATED 17 OCTOBER 1994 FROM THE PERMANENT REPRESENTATIVE OF UZBEKISTAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Representative of the Republic of Uzbekistan to the United Nations presents his compliments to the Secretary-General of the United Nations and has the honour to transmit the Statement of the Ministry of Foreign Affairs of the Republic of Uzbekistan issued on 14 October 1994 in Tashkent.

The Permanent Representative of the Republic of Uzbekistan also has the honour to request that the text of this note verbale and its attachment be circulated as a document of the Security Council.

Annex

[Original: Russian]

Statement dated 14 October 1994 of the Ministry of Foreign Affairs of Uzbekistan

In the Ministry of Foreign Affairs of the Republic of Uzbekistan there is earnest concern and indignation over the increasingly frequent accusations made recently by official authorities of the Islamic State of Afghanistan concerning the alleged "interference" of Uzbekistan in the internal affairs of Afghanistan, and in particular the interference of the Armed Forces of Uzbekistan in the internal war of the conflicting forces in Afghanistan.

We resolutely reject this baseless slander against Uzbekistan and state that these allegations are nothing more than an attempt of certain forces in Afghanistan and beyond its borders to harm Uzbekistan's image in the eyes of the international community, its peace-making efforts, and to provoke the aggravation of the relations between the two neighbouring States and the further growth of tension in the region.

Uzbekistan has always expressed profound concern over the continuing armed confrontation and fratricidal war in Afghanistan, and has repeatedly reaffirmed its readiness to discuss with all interested States concrete measures which could facilitate the solution of the Afghan problem.

We have always maintained a firm and principled position regarding the need to find peaceful approaches to the solution of the problem of Afghanistan which exclude interference by any States in its internal affairs.

At the forty-eighth session of the General Assembly, Uzbekistan came forward with the initiative of organizing in Tashkent a permanent seminar on problems of the regional security under the auspices of the United Nations.

A position of strict neutrality and non-interference in the internal affairs of Afghanistan was expressed in the Joint Statement on Afghanistan made by the Ministers of Foreign Affairs of Uzbekistan and the Russian Federation on 8 February 1994.

Appeals by Uzbekistan for the necessity to involve all healthy forces of the region and the international community in the peaceful solution of the conflicts in Afghanistan were also made during the Tashkent seminar of CSCE in September 1994, despite the gross provocations when our Republic was yet the target of a crude and provocative accusation of armed interference in the internal affairs of that long-suffering country.

On 4 October 1994, at the forty-ninth session of the General Assembly, Uzbekistan once against stated the inadmissibility of interference in the internal affairs of Afghanistan and the need to impose an embargo on the supply of weapons to the regional conflict zones.

We expect that the leaders of Afghanistan and the various political forces there will correctly assess the concern and the peacemaking role of Uzbekistan in the prevention of conflicts in the region and its efforts to develop good-neighbourly relations and all-round mutually beneficial cooperation with independent and sovereign Afghanistan in the interests of strengthening the spirit of mutual understanding and confidence in the region, will not in future permit intriguing by enemies of this spirit, both within the country and beyond its borders, will demonstrate genuine patriotic wisdom and, taking into consideration the grave consequences of the fratricidal war, will focus their efforts on achieving national reconciliation in the interests and for the benefit of the entire Afghan people.

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General Assembly
Security Council

Distr.
GENERAL

A/49/530
S/1994/1178
17 October 1994
ENGLISH
ORIGINAL: RUSSIAN

GENERAL ASSEMBLY
Forty-ninth session
Agenda item 70

SECURITY COUNCIL
Forty-ninth year

MAINTENANCE OF INTERNATIONAL SECURITY

Letter dated 17 October 1994 from the representatives of Kazakhstan, Kyrgyzstan, the Russian Federation and Uzbekistan to the United Nations addressed to the Secretary-General

On instructions from our Governments, we have the honour to transmit the text of a joint statement by the Ministers for Foreign Affairs of Kazakhstan, Kyrgyzstan, the Russian Federation and Uzbekistan - the members of the Commonwealth of Independent States participating in the Collective Peace-keeping Forces in Tajikistan - issued on 13 October 1994 (see annex).

We should be grateful if you would have this letter and its attachment circulated as a document of the General Assembly, under agenda item 70, and of the Security Council.

(Signed) A. ARYSTANBEKOVA
Permanent Representative of Kazakhstan to the United Nations

(Signed) A. AITMATOV
Acting Permanent Representative of Kyrgyzstan to the United Nations

(Signed) V. SIDOROV
Acting Permanent Representative of the Russian Federation to the United Nations

(Signed) F. TESHABAEV
Permanent Representative of Uzbekistan to the United Nations

Annex

Joint Statement on Tajikistan issued on 13 October 1994

The Ministers for Foreign Affairs of the Republic of Kazakhstan, the Republic of Kyrgyzstan, the Russian Federation and the Republic of Uzbekistan - the members of the Commonwealth of Independent States participating in the Collective Peace-keeping Forces in Tajikistan - have reviewed the current situation in and around that country, in the light inter alia of the ongoing consideration of the issue of Tajikistan within the United Nations.

Confirming their common approach to the issues relating to Tajikistan, the Ministers express their belief that there is no alternative to a settlement of the Tajik conflict by political means and emphasize the intention of their countries to continue to provide all possible assistance to restore peace and tranquillity in Tajikistan and ensure stability in the region.

The Ministers welcome the process of political transformation that has begun in Tajikistan. They are confident that the forthcoming adoption of the new constitution and the holding of presidential elections in accordance with universally recognized democratic standards and with the participation of international observers will be conducive to the normalization of the situation in the country and progress towards national reconciliation and harmony.

The Ministers highly appreciate the attention which the Secretary-General of the United Nations, Mr. Boutros Boutros-Ghali, is devoting to the problem of Tajikistan and the efforts of his Special Envoy, Mr. Píriz-Ballón, to foster the continuation of the inter-Tajik dialogue. They note the important positive significance of the Agreement on a Provisional Cease-fire and the Cessation of Other Hostilities on the Tajik-Afghan Border and Within Tajikistan, signed at Teheran in the context of this dialogue. They believe that this Agreement can usher in a new, constructive stage in the quest for a Tajik settlement.

There is now a need to promote the speedy entry into force of this Agreement and strict compliance by the parties with its provisions. The United Nations has an extremely important role to play in this regard.

The Ministers declare the readiness of the Collective Peace-keeping Forces in Tajikistan to assist in maintaining the cease-fire and to work together with the United Nations observers to that end.

They express concern, however, at the recent increase in tension along the border between Tajikistan and Afghanistan and also, in particular, at the involvement of mercenaries from third countries in military actions on the side of the armed Tajik opposition. This entails the danger of an intensification and expansion of the conflict.

The ministers call upon the world community and, first and foremost, the countries bordering on Tajikistan to work together to bring about a speedy and peaceful settlement and to do everything necessary to remove this dangerous source of international tension.